

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 111

From: [Kim, Jane \(USANYS\) 4](#)
To: [Krouse, Michael \(USANYS\)](#); [Bove, Emil \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Lake, Stephanie \(USANYS\)](#)
Cc: [Crowley, Shawn \(USANYS\)](#)
Subject: RE: 2020.03.09 Letter re OFAC contacts.EB3.sgc.docx
Date: Monday, March 9, 2020 11:02:41 PM
Attachments: [2020.03.09 Letter re OFAC contacts.EB3.sgc.jk.docx](#)

Minor nits.

From: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Sent: Monday, March 9, 2020 10:59 PM
To: Bove, Emil (USANYS) <EBove@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>
Cc: Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>
Subject: RE: 2020.03.09 Letter re OFAC contacts.EB3.sgc.docx

Looks good. One tiny nit in the attached.

From: Bove, Emil (USANYS) <EBove@usa.doj.gov>
Sent: Monday, March 9, 2020 10:49 PM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>
Cc: Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>
Subject: 2020.03.09 Letter re OFAC contacts.EB3.sgc.docx

Here is a revised draft. Please take a careful read for accuracy and stop by / call if you have any issues. Thanks guys.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 112

From: [Crowley, Shawn \(USANY\)](#)
To: [Krouse, Michael \(USANY\)](#); [Kim, Jane \(USANY\) 4](#); [Lynch, Garrett](#)
Cc: [Bove, Emil \(USANY\)](#)
Subject: 2020.03.09 Letter re OFAC contacts.EB3.sgc.v2.docx
Date: Monday, March 9, 2020 11:45:22 PM
Attachments: [2020.03.09 Letter re OFAC contacts.EB3.sgc.v2.docx](#)

Here's the final version from us. We are signed off. Garrett, please make sure this is accurate: That same day, SAUSA Lynch located GX 411 in a hard copy file at his DANY office; SAUSA Lynch had segregated letter from Commerzbank's other voluntary disclosures and stored it in the folder, but does not recall when he did so.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 113

From: [Lynch, Garrett](#)
To: [Crowley, Shawn \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)
Cc: [Bove, Emil \(USANYS\)](#)
Subject: RE: 2020.03.09 Letter re OFAC contacts.EB3.sgc.v2.docx
Date: Monday, March 9, 2020 11:53:44 PM

That's right.

----- Original message -----

From: "Crowley, Shawn (USANYS)" <Shawn.Crowley@usdoj.gov>
Date: 3/9/20 11:45 PM (GMT-05:00)
To: "Krouse, Michael (USANYS)" <Michael.Krouse@usdoj.gov>, "Kim, Jane (USANYS) 4" <Jane.Kim@usdoj.gov>, "Lynch, Garrett" <LynchG@dany.nyc.gov>
Cc: "Bove, Emil (USANYS)" <Emil.Bove@usdoj.gov>
Subject: 2020.03.09 Letter re OFAC contacts.EB3.sgc.v2.docx

Here's the final version from us. We are signed off. Garrett, please make sure this is accurate: That same day, SAUSA Lynch located GX 411 in a hard copy file at his DANY office; SAUSA Lynch had segregated letter from Commerzbank's other voluntary disclosures and stored it in the folder, but does not recall when he did so.

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 114

From: [Krouse, Michael \(USANYS\)](#)
To: [Heberlig, Brian](#); [Weingarten, Reid](#); [Silverman, Nicholas](#); [Bishop, Bruce](#); [Fragale, David](#)
Cc: [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#); [LynchG@dany.nyc.gov](#)
Subject: Karimi interview notes and reports
Date: Wednesday, February 5, 2020 1:22:00 PM
Attachments: [3501-01 2016_06_16 Karimi 302 Redacted.pdf](#)
[3501-02 2016_06_16 Karimi Interview Handwritten notes Redacted.pdf](#)
[3501-03 2016_09_14 Karimi interview notes.pdf](#)
[3501-04 2019_10_21 Call with Karimi.pdf](#)
[3501-05 2020_1_22 Karimi Proffer Notes.pdf](#)
[3501-06 2016_09_14 Karimi 302 Redacted.pdf](#)

Brian,

I misspoke earlier—there were two prior interviews of Karimi before the interview on January 22, 2020 (so three total). Those two prior interviews were conducted on June 16, 2016 and September 14, 2016. Our understanding is that they were not recorded. The third interview (on January 22, 2020) was recorded, but RCMP has not yet provided us with a copy.

Accordingly, please find attached six documents which are being produced subject to the terms of the protective order: (1) the 302 report of the June 16, 2016 interview; (2) handwritten notes of the June 16, 2016 interview; (3) handwritten notes of the September 14, 2016 interview; (4) notes of a brief coordination call with Karimi on October 21, 2019; (5) handwritten notes of the January 22, 2020 interview; and (6) the 302 report of the September 14, 2016 interview.

Best regards,

Michael

Michael Krouse
Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2279

From: Heberlig, Brian <BHeberlig@steptoe.com>
Sent: Wednesday, February 5, 2020 10:23 AM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>
Cc: Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; LynchG@dany.nyc.gov
Subject: RE: U.S. v. Sadr

Thanks, Michael. This draft of the Protective Order is okay with us. -Brian

From: Krouse, Michael (USANYS) <Michael.Krouse@usdoj.gov>
Sent: Wednesday, February 5, 2020 10:05 AM
To: Heberlig, Brian <BHeberlig@steptoe.com>; Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>
Cc: Kim, Jane (USANYS) 4 <Jane.Kim@usdoj.gov>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>; LynchG@dany.nyc.gov
Subject: RE: U.S. v. Sadr

Brian,

Here is a revised protective order along the lines you suggested. There were two interviews of Karimi, and we will produce the notes and reports from both meetings. Our understanding is that the first interview was not recorded. The second interview was, and we will provide you with a copy once we have it.

Michael

Michael Krouse
Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2279

From: Heberlig, Brian <BHeberlig@steptoe.com>
Sent: Wednesday, February 5, 2020 6:45 AM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>
Cc: Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; LynchG@dany.nyc.gov
Subject: RE: U.S. v. Sadr

Michael,

Thanks for your response. Can you confirm that the government plans to produce information regarding all of Mr. Karimi's interviews, not limited to the most recent interview? Also, our request encompassed all recordings, 302 memoranda, and notes. Can you also confirm that you will produce all such materials? In particular, please confirm that you will produce the recording of

the interview once you receive it from the Canadian authorities. If you decline to produce any of these materials, please let us know today so we can bring the issue to the Court's attention for the Monday conference.

We do not believe a protective order is necessary and do not intend to "disseminate" the 3500 materials beyond normal use in defending our client. However, if you insist upon an order, we cannot agree to the form of the order because it unfairly restricts our ability to defend our client. The order would need to be expanded to allow us to disclose 3500 materials to: (a) expert witnesses, investigators, expert advisors, consultants and vendors; (b) prospective witnesses, and their counsel; and (c) such other persons as may be authorized by agreement, in writing, of the parties or by the Court upon the defendant's motion. If you are unwilling to revise the protective order in this manner, we agree to abide by the terms of your draft order until the Court can resolve this dispute. Given that the Karimi materials are relevant to pending motions in limine that may be addressed by the Court on Monday, we request that you produce them immediately subject to our agreement not to further disseminate them beyond the defense team and the defendant until the Court can resolve the protective order issue.

Best, Brian

Brian M. Heberlig
Partner
bheberlig@step toe.com

Step toe

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+1 202 368 7855 mobile	1330 Connecticut Avenue, NW
+1 202 429 3902 fax	Washington, DC 20036
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From: Krouse, Michael (USANYS) <Michael.Krouse@usdoj.gov>

Sent: Tuesday, February 4, 2020 8:21 PM

To: Heberlig, Brian <BHeberlig@steptoe.com>; Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>

Cc: Kim, Jane (USANYS) 4 <Jane.Kim@usdoj.gov>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>; LynchG@dany.nyc.gov

Subject: RE: U.S. v. Sadr

Brian,

Thank you for your letter. We are prepared to provide you with the notes of interviews with Bahram Karimi subject to a protective order. To that end, do you consent to the attached order for 3500 materials (and other witness interview notes)? If you consent, we will ask Judge Nathan to sign the order.

Thank you,

Michael Krouse
Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2279

From: Heberlig, Brian <BHeberlig@steptoe.com>

Sent: Monday, February 3, 2020 7:49 AM

To: Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; LynchG@dany.nyc.gov

Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>

Subject: RE: U.S. v. Sadr

Please see the attached letter. -Brian

From: Heberlig, Brian

Sent: Friday, January 31, 2020 12:24 PM

To: 'Kim, Jane (USANYS) 4' <Jane.Kim@usdoj.gov>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>; Krouse, Michael (USANYS) <Michael.Krouse@usdoj.gov>; LynchG@dany.nyc.gov

Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David

<Dfragale@steptoe.com>

Subject: RE: U.S. v. Sadr

Please see the attached letter. -Brian

From: Kim, Jane (USANYS) 4 <Jane.Kim@usdoj.gov>

Sent: Thursday, January 30, 2020 1:09 PM

To: Heberlig, Brian <BHeberlig@steptoe.com>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>; Krouse, Michael (USANYS) <Michael.Krouse@usdoj.gov>; LynchG@dany.nyc.gov

Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <Dfragale@steptoe.com>

Subject: RE: U.S. v. Sadr

Counsel:

Please see the attached letter. We are available to meet and confer tomorrow afternoon after 3:45pm, over the weekend, or on Monday between 12 and 2pm.

During our call, we'd like to also discuss stipulations and exhibits. With respect to exhibits, for the pages of documents we expect to use at trial, we need to pull clean, electronic, text-searchable copies of the documents from the discovery produced to you in November 2018. We'd like to complete this process in short order so that we can prepare and produce these documents to you as exhibits in advance of trial. Please let us know if you have any concerns.

Thanks,
Jane

From: Heberlig, Brian <BHeberlig@steptoe.com>

Sent: Wednesday, January 29, 2020 10:25 AM

To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; LynchG@dany.nyc.gov; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>

Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <Dfragale@steptoe.com>

Subject: U.S. v. Sadr

Please see the attached letter and let us know when you are available to meet and confer. Thanks.

Best, Brian

Brian M. Heberlig

Partner

bheberlig@step toe.com

Step toe

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 115

From: [Pond, Leigh Ann E. \(NY\) \(FBI\)](#)
To: [Depresco, Robert J. \(NY\) \(FBI\)](#); [Krouse, Michael \(USANYS\)](#)
Cc: [Lynch, Garrett](#); [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#)
Subject: RE: Karimi written notes
Date: Wednesday, February 5, 2020 11:57:44 AM

1. There IS a 302 for 9/14/16
2. Confirmed
3. We don't have audio recordings. RCMP probably does.
4. Confirmed

-

On Feb 5, 2020 10:41 AM, "Krouse, Michael (USANYS)" <Michael.Krouse@usdoj.gov> wrote:

>

> Leigh Ann and Rob,

>

> Please confirm as soon as possible:

>

> 1) There is no 302 for the September 14, 2016 interview with Karimi.

>

> 2) There is no 302 for the January 22, 2020 interview with Karimi.

>

> 3) There are no audio recordings of the interviews in June or September of 2016.

>

> 4) We have not yet received the audio recording of the January 22, 2020 interview.

>

> Thanks,

>

> Mike

>

> -----Original Message-----

> From: Pond, Leigh Ann E. (NY) (FBI) <lepond@fbi.gov>

> Sent: Wednesday, January 29, 2020 4:35 PM

> To: Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Lynch, Garrett <LynchG@dany.nyc.gov>

> Cc: Denk, Benjamin (CTD) (FBI) <bdenk@fbi.gov>

> Subject: Karimi written notes

>

>

>

> Leigh Ann Pond

> Special Agent | New York

> Federal Bureau of Investigation

> 212-384-3650

>

>

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 116

From: [Depresco, Robert J. \(NY\) \(FBI\)](#)
To: [Krouse, Michael \(USANYS\)](#)
Cc: [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#)
Subject: RE: FBI New York Request to FPNS
Date: Tuesday, February 18, 2020 1:12:57 PM

It is in transit, still waiting for it.

Robert DePresco
Special Agent
Federal Bureau of Investigation - New York
Desk: 212.384.1322
Cell: 646.285.4782

-----Original Message-----

From: Krouse, Michael (USANYS) [<mailto:Michael.Krouse@usdoj.gov>]
Sent: Tuesday, February 18, 2020 12:38 PM
To: Depresco, Robert J. (NY) (FBI) <rjdepresco@fbi.gov>
Cc: Kim, Jane (USANYS) 4 <Jane.Kim@usdoj.gov>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>
Subject: RE: FBI New York Request to FPNS

What about the January 2020 meeting?

-----Original Message-----

From: Depresco, Robert J. (NY) (FBI) <rjdepresco@fbi.gov>
Sent: Tuesday, February 18, 2020 11:18 AM
To: Federal_Policing_Intake_Unit@rcmp-grc.gc.ca
Cc: Miller, Ann M. (OT) (FBI) <ammiller@fbi.gov>; Pond, Leigh Ann E. (NY) (FBI) <lepond@fbi.gov>; Sgroi, Johnarthur (CD) (FBI) <jasgroi@fbi.gov>; Jones, Christopher D. (OT) (FBI) <cdjones5@fbi.gov>; EDIV_FOREIGN_LIAISON@rcmp-grc.gc.ca; Christine LARSEN <Christine.LARSEN@rcmp-grc.gc.ca>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; McReynolds, Jennifer A. (NY) (FBI) <jamcreynolds@fbi.gov>
Subject: FBI New York Request to FPNS

Hello,

FBI New York respectfully requests assistance from the Federal Policing National Security in obtaining the recordings from a joint interview between FBI New York and RCMP on September 14, 2016 and June 16, 2016 in Vancouver, BC. The interviews were with Canadian citizen, Bahram KARIMI and included a member from E Div INSET.

File Number for EINSET is SPROS 2016375.

Assistant United States Attorneys, Michael Krouse and Jane Kim (cc'd here), represent US DOJ and concur with this request. If you require this request to be on an official memo please let me know.

Thank you in advance for your cooperation,

Robert DePresco
Special Agent
Federal Bureau of Investigation - New York
Desk: 212.384.1322
Cell: 646.285.4782

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 117

From: [Krouse, Michael \(USANYS\)](#)
To: ["Heberlig, Brian"](#)
Cc: [Weingarten, Reid](#); [Silverman, Nicholas](#); [Fragale, David](#); [Bishop, Bruce](#); [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Milione, Shawn \(USANYS\) \[Contractor\]](#)
Subject: Disclosure letter
Date: Tuesday, March 31, 2020 7:33:43 PM
Attachments: [2020.3.31 Ltr to Steptoe re Karimi Recording.pdf](#)

Counsel,

Please see attached a letter concerning the audio recording of the January 22, 2020 interview of Bahram Karimi. As indicated in the letter, please let us know if you want us to send the recording by CD or upload it to the website we used during trial.

Best regards,

Michael Krouse
Assistant U.S. Attorney
Southern District of New York
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 118

From: [Lynch, Garrett](#)
To: [Lake, Stephanie \(USANY\)](#); [Kim, Jane \(USANY\)](#) 4; [Krouse, Michael \(USANY\)](#)
Subject: Victor Aular
Date: Friday, January 10, 2020 3:11:31 PM
Attachments: [Aular 4.1.2016.pdf](#)
[Aular 4.26.2016.pdf](#)

If you haven't read his 302s, they're sort of interesting. Aular was the head of finance at PDVSA during the period and signed off on all the payments to IIHC. He was living in the U.S. back in 2016 when we interviewed him, but he moved back to Venezuela shortly thereafter. He was represented by Adam Kaufmann for a time, then a guy named Andy Kaufman (no relation). It may be worth asking Leigh Ann to see if she can locate him.

Garrett A. Lynch
Deputy Bureau Chief
Major Economic Crimes Bureau
New York County District Attorney's Office
(212) 335-4335
lynchg@dany.nyc.gov

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 119

From: [Krouse, Michael \(USANYS\)](#)
To: [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)
Subject: RE: Victor Aular
Date: Thursday, January 30, 2020 5:06:00 PM

Did we ever respond to Garrett on this? Do you guys think it's worth trying to track him down?

From: Lynch, Garrett <LynchG@dany.nyc.gov>
Sent: Friday, January 10, 2020 3:10 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Subject: Victor Aular

If you haven't read his 302s, they're sort of interesting. Aular was the head of finance at PDVSA during the period and signed off on all the payments to IIHC. He was living in the U.S. back in 2016 when we interviewed him, but he moved back to Venezuela shortly thereafter. He was represented by Adam Kaufmann for a time, then a guy named Andy Kaufman (no relation). It may be worth asking Leigh Ann to see if she can locate him.

Garrett A. Lynch
Deputy Bureau Chief
Major Economic Crimes Bureau
New York County District Attorney's Office
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lynchg@dany.nyc.gov

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 120

From: [Lake, Stephanie \(USANYS\)](#)
To: [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)
Subject: RE: Victor Aular
Date: Thursday, January 30, 2020 5:08:28 PM

My view was that this was all very interesting, but unlikely to advance the ball at trial. This was because he denied knowing Sadr, and based on my view that the fact that the payments were made to IIHC in US dollars isn't going to be too tough to establish.

From: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:06 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

[Did we ever respond to Garrett on this? Do you guys think it's worth trying to track him down?](#)

From: Lynch, Garrett <LynchG@dany.nyc.gov>
Sent: Friday, January 10, 2020 3:10 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Subject: Victor Aular

If you haven't read his 302s, they're sort of interesting. Aular was the head of finance at PDVSA during the period and signed off on all the payments to IIHC. He was living in the U.S. back in 2016 when we interviewed him, but he moved back to Venezuela shortly thereafter. He was represented by Adam Kaufmann for a time, then a guy named Andy Kaufman (no relation). It may be worth asking Leigh Ann to see if she can locate him.

Garrett A. Lynch
Deputy Bureau Chief
Major Economic Crimes Bureau
New York County District Attorney's Office
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lynchg@dany.nyc.gov

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 121

From: [Krouse, Michael \(USANYS\)](#)
To: [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)
Subject: RE: Victor Aular
Date: Thursday, January 30, 2020 5:09:00 PM

Got it. If he denied knowing Sadr, do you think it's Brady we need to disclose?

From: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:08 PM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

My view was that this was all very interesting, but unlikely to advance the ball at trial. This was because he denied knowing Sadr, and based on my view that the fact that the payments were made to IIHC in US dollars isn't going to be too tough to establish.

From: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:06 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

Did we ever respond to Garrett on this? Do you guys think it's worth trying to track him down?

From: Lynch, Garrett <LynchG@dany.nyc.gov>
Sent: Friday, January 10, 2020 3:10 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Subject: Victor Aular

If you haven't read his 302s, they're sort of interesting. Aular was the head of finance at PDVSA during the period and signed off on all the payments to IIHC. He was living in the U.S. back in 2016 when we interviewed him, but he moved back to Venezuela shortly thereafter. He was represented by Adam Kaufmann for a time, then a guy named Andy Kaufman (no relation). It may be worth asking Leigh Ann to see if she can locate him.

Garrett A. Lynch
Deputy Bureau Chief
Major Economic Crimes Bureau
New York County District Attorney's Office
(212) 335-4335
lynchg@dany.nyc.gov

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 122

From: [Lake, Stephanie \(USANYS\)](#)
To: [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)
Subject: RE: Victor Aular
Date: Thursday, January 30, 2020 5:10:44 PM

I don't think he should have known Sadr, given their respective positions. But could be worth running by a chief.

From: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:10 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

Got it. If he denied knowing Sadr, do you think it's Brady we need to disclose?

From: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:08 PM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

My view was that this was all very interesting, but unlikely to advance the ball at trial. This was because he denied knowing Sadr, and based on my view that the fact that the payments were made to IIHC in US dollars isn't going to be too tough to establish.

From: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Sent: Thursday, January 30, 2020 5:06 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>
Subject: RE: Victor Aular

Did we ever respond to Garrett on this? Do you guys think it's worth trying to track him down?

From: Lynch, Garrett <LynchG@dany.nyc.gov>
Sent: Friday, January 10, 2020 3:10 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Subject: Victor Aular

If you haven't read his 302s, they're sort of interesting. Aular was the head of finance at PDVSA during the period and signed off on all the payments to IIHC. He was living in the U.S. back in 2016 when we interviewed him, but he moved back to Venezuela shortly thereafter. He was represented by Adam Kaufmann for a time, then a guy named Andy Kaufman (no relation). It may be worth asking Leigh Ann to see if she can locate him.

Garrett A. Lynch
Deputy Bureau Chief

Major Economic Crimes Bureau
New York County District Attorney's Office
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lynchg@dany.nyc.gov

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 123

From: [Lake, Stephanie \(USANYS\)](#)
To: ["Heberlig, Brian"](#); [Weingarten, Reid](#); [Fragale, David](#); [Silverman, Nicholas](#); [Bishop, Bruce](#)
Cc: [Lynch, Garrett](#); [Krouse, Michael \(USANYS\)](#)
Subject: RE: Disclosure letter
Date: Friday, April 3, 2020 6:59:17 PM
Attachments: [2020.4.3 Response to Steptoe March 24, 2020 Letter.pdf](#)

Please find attached our response to your March 24 letter.

Have a good weekend,
Stephanie

From: Heberlig, Brian <BHeberlig@steptoe.com>
Sent: Wednesday, April 1, 2020 5:30 PM
To: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>
Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Fragale, David <DFragale@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>; Milione, Shawn (USANYS) [Contractor] <SMilione@usa.doj.gov>
Subject: RE: Disclosure letter

Counsel:

Please see the attached response to your letters yesterday to us and to the Court.

Regards,

Brian M. Heberlig
Partner
bheberlig@steptoe.com

Step toe

+1 202 429 8134 direct **Step toe & Johnson LLP**
+1 202 368 7855 mobile 1330 Connecticut Avenue, NW
+1 202 429 3902 fax Washington, DC 20036
 www.step toe.com

Click [here](#) to view my biography.

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From: Krouse, Michael (USANYS) <Michael.Krouse@usdoj.gov>
Sent: Tuesday, March 31, 2020 7:34 PM
To: Heberlig, Brian <BHeberlig@steptoe.com>
Cc: Weingarten, Reid <RWeingarten@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Fragale, David <Dfragale@steptoe.com>; Bishop, Bruce <BBishop@steptoe.com>; Lake, Stephanie (USANYS) <Stephanie.Lake@usdoj.gov>; Kim, Jane (USANYS) 4 <Jane.Kim@usdoj.gov>; Lynch, Garrett (USANYS) [Contractor] <Garrett.Lynch@usdoj.gov>; Milione, Shawn (USANYS) [Contractor] <Shawn.Milione@usdoj.gov>
Subject: Disclosure letter

Counsel,

Please see attached a letter concerning the audio recording of the January 22, 2020 interview of Bahram Karimi. As indicated in the letter, please let us know if you want us to send the recording by CD or upload it to the website we used during trial.

Best regards,

Michael Krouse
Assistant U.S. Attorney
Southern District of New York
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 124

From: [Bove, Emil \(USANYS\)](#)
To: [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Garrett Lynch](#)
Cc: [Crowley, Shawn \(USANYS\)](#)
Subject: Sadr letter
Date: Friday, April 3, 2020 5:49:14 PM
Attachments: [2020.4.3 Response to Steptoe re Disclosures.EB3.DOCX](#)

Hi guys – edits from Shawn and I in the attached. We’re around if you want to discuss. Just so I understand, what are the enclosures with this letter? Does “reports” in paragraph 4 include that email that you sent us earlier in the week? Thank you.

Emil Bove
Co-Chief, Terrorism and International Narcotics Unit
United States Attorney’s Office
Southern District of New York
212-637-2444 (t)
347-668-2048 (c)
212-637-0097 (f)

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

EXHIBIT 125

From: [Bove, Emil \(USANYS\)](#)
To: [Lake, Stephanie \(USANYS\)](#)
Cc: [Krouse, Michael \(USANYS\)](#); [Garrett Lynch](#); [Crowley, Shawn \(USANYS\)](#)
Subject: Re: Sadr letter
Date: Friday, April 3, 2020 6:47:24 PM

Not at all that makes sense.

On Apr 3, 2020, at 6:37 PM, Lake, Stephanie (USANYS) <SLake@usa.doj.gov> wrote:

About to send – any objection to me redacting Scott Fung’s email and phone number? I wouldn’t normally leave those on something for defense.

From: Bove, Emil (USANYS) <EBove@usa.doj.gov>
Sent: Friday, April 3, 2020 6:05 PM
To: Lake, Stephanie (USANYS) <SLake@usa.doj.gov>
Cc: Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Garrett Lynch <LynchG@dany.nyc.gov>; Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>
Subject: Re: Sadr letter

Thank you. That sounds right.

On Apr 3, 2020, at 5:53 PM, Lake, Stephanie (USANYS) <SLake@usa.doj.gov> wrote:

Thanks. We intend to enclose the Aular reports and that “Saludos” email.

Re adding Peri to the first point, unless there’s a reason not to, I’m inclined to add the other bank witness, Matt Blair.

On Apr 3, 2020, at 5:49 PM, Bove, Emil (USANYS) <EBove@usa.doj.gov> wrote:

Hi guys – edits from Shawn and I in the attached. We’re around if you want to discuss. Just so I understand, what are the enclosures with this letter? Does “reports” in paragraph 4 include that email that you sent us earlier in the week? Thank you.

Emil Bove
Co-Chief, Terrorism and International Narcotics Unit
United States Attorney’s Office
Southern District of New York
212-637-2444 (t)
347-668-2048 (c)
212-637-0097 (f)

<2020.4.3 Response to Steptoe re
Disclosures.EB3.DOCX>